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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,
14 v.
15 SHARETT ANNETTE YAZZIE,
16 Defendant.

Case No. 2:22-mj-00557-BNW

**STIPULATION TO CONTINUE
EVIDENTIARY HEARING AND
BENCH TRIAL**
(Seventh Request)

17
18 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M.
19 Frierson, United States Attorney, and Imani Dixon, Assistant United States
20 Attorney, counsel for the United States of America, and Rene L. Valladares,
21 Federal Public Defender, and Keisha K. Matthews, Assistant Federal Public
22 Defender, counsel for Sharett Annette Yazzie, that the evidentiary hearing and
23 bench trial currently scheduled on January 22, 2024, at the hour of 10:00 a.m., be
24 vacated and continued to April 16, 2024, at the hour of 10:00 a.m.

25 This Stipulation is entered into for the following reasons:
26

1 1. Defense counsel had a family emergency that required her to travel
2 out of the district.

3 2. The defendant is out of custody and agrees with the need for the
4 continuance.

5 3. The parties agree to the continuance.

6 4. Additionally, denial of this request for continuance could result in a
7 miscarriage of justice. The additional time requested by this Stipulation is
8 excludable in computing the time within which the trial herein must commence
9 pursuant to the Speedy Trial Act, Title 18, United States Code, Section
10 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section
11 3161(h)(7)(B)(i), (iv).

12 This is the seventh request for a continuance of the bench trial.

13 DATED this 16th day of January 2024.

14
15
16 RENE L. VALLADARES
Federal Public Defender

JASON M. FRIERSON
United States Attorney

17
18 By /s/ Keisha K. Matthews

By /s/ Imani Dixon

19 KEISHA K. MATTHEWS
20 Assistant Federal Public Defender

IMANI DIXON
Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,
4 Plaintiff,
5 v.
6 SHARETT ANNETTE YAZZIE,
7 Defendant.
8

Case No. 2:22-mj-00557-BNW

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER

9
10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing
12 therefore, the Court finds that:

13 1. Defense counsel had a family emergency that required her to travel
14 out of the district.

15 2. The defendant is out of custody and agrees with the need for the
16 continuance.

17 3. The parties agree to the continuance.

18 4. Additionally, denial of this request for continuance could result in a
19 miscarriage of justice. The additional time requested by this Stipulation is
20 excludable in computing the time within which the trial herein must commence
21 pursuant to the Speedy Trial Act, Title 18, United States Code, Section
22 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section
23 3161(h)(7)(B)(i), (iv).
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CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, title 18, United States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18, United States Code, §§ 316(h)(7)(B) and 3161(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that trial briefs, proposed voir dire questions, proposed jury instructions, and a list of the Government's prospective witnesses must be electronically submitted to the Court by the 10th day of April, 2024.

IT IS FURTHER ORDERED that the bench trial currently scheduled on Monday, January 22, 2024, at 10:00 a.m., be vacated and continued to April 16, 2024, at 10:00 a.m.

DATED this 17th day of January, 2024.



UNITED STATES MAGISTRATE JUDGE